

REMARKS

Claims 120, 121, 124 to 128, 131 to 133, 136 to 154, and 157 to 167 are pending in this patent application. No claims have been amended, canceled, or added, herein. Applicants respectfully request reconsideration of the rejections of record in view of the following remarks.

Alleged Double Patenting

Claims 139, 140, 143, 148, and 149 have been rejected under the judicially created doctrine of obviousness-type double patenting as allegedly unpatentable over claims 4, 7, and 8 of U.S. patent number 6,107,094 and over claim 29 of U.S. patent number 5,898,031. In addition, claims 120, 121, 124, 127, and 136 to 138 have been provisionally rejected under the judicially created doctrine of obviousness-type double patenting as allegedly unpatentable over claims 333 to 359 of copending U.S. patent application number 09/479,783.

Without acquiescing that there has been an adequate showing that those of ordinary skill in the art would have found the cited claims to have been obvious in view of the claims of the referenced patents and patent application, applicants nonetheless submit herewith the requested terminal disclaimers. This is being done solely in an attempt to advance prosecution of the present patent application, and should not be construed to constitute an acknowledgment of obviousness or any other substantive relationship among the involved patent claims.

Conclusion

Applicants believe that the foregoing constitutes a complete and full response to the official action of record. Accordingly, an early and favorable action is respectfully requested.

Respectfully submitted,

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